

PATENT  
450100-02386**REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

**I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-28 are pending in this application. Claims 1, 12, 15, and 26, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

**II. REJECTIONS UNDER 35 U.S.C. § 103(a)**

Claims 1-7, 10, 12-21, and 24 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,697,099 to Smith, et al. in view of U.S. Patent No. 6,556,590 to Saeijs, et al.

Independent claim 1, as amended, recites, *inter alia*:

"...wherein said detection step detects the timing of inserting discontinuity information data in accordance with a change in an operation mode, a timing change, a content change, and a transition point in digital contents."

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As understood by Applicant, U.S. Patent No. 6,697,099 to Smith, et al. (hereinafter, merely "Smith") relates to displaying colored audio/visual programming in black and white. The invention first determines whether a selected audio/visual program is colored, a display is configured, responsive to user input, and the program is displayed in black and white.

As understood by Applicant, U.S. Patent No. 6,556,590 to Saeijs, et al. (hereinafter, merely "Saeijs") relates to transmitting timing critical data via an asynchronous channel without changing and data. The method involves tagging each transmission unit of the data stream, before inputting the channel, with timing information, and using the timing information at the output end of the channel to recreate the proper data timing.

Applicant respectfully submits that nothing has been found in Smith or Saeijs, taken alone or in combination, that would disclose or suggest the above-identified feature of claim 1. Therefore, independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above, amended independent claims 12 and 15 are also believed to be patentable.

Claims 1, 8, 9, 11, 15, 22, 23, and 25-28 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,697,099 to Smith, et al. in view of U.S. Patent No. 5,786,845 to Tsuria, et al. and further in view of U.S. Patent No. 6,529,246 to Maeda.

As stated above, independent claim 1, as amended, recites, *inter alia*:

"...wherein said detection step detects the timing of inserting discontinuity information data in accordance with a change in an operation mode, a timing change, a content change, and a transition point in digital contents."

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Applicant submits that nothing has been found in Smith, Tsuria, or Maeda that would disclose or suggest the above-identified feature of claim 1. Therefore, independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above, amended independent claims 15 and 26 are also believed to be patentable.

### III. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

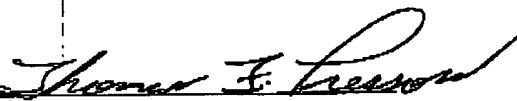
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

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